

Conditions of consent (draft)

Proposed development Section 4.55(2) modification to the approved Stages 2 – 5 construction of 4 x residential flat buildings under JRPP-14-01915, including increased building height, changes to the building articulation and internal reconfigurations.

Property description 822 Windsor Road, Rouse Hill (Lot 205 DP 660230)

The section 4.55(2) modification application (MOD-19-00122) should be approved subject to amendments to the imposed conditions as shown in **BOLD** below and with additional conditions shown in **RED**.

- Conditions 2.1.1, 2.4.1 and 5.3 are amended in the following manner:

2.1.1 *This consent relates to the following drawings/details submitted to Council with the Development Application, subject to compliance with any other conditions of this consent:*

<i>Drawing No.</i>	<i>Dated</i>	<i>Other references:</i>
		<ul style="list-style-type: none"> - Under Council's File Enclosure No. JRPP-14-1915/D and JRPP-14-1915, or - As prepared by
<i>Site and Roof Plan DA-04 Issue E (as amended)</i>	<i>4/5/15</i>	<i>154F</i>
<i>Stages 1 & 6 Site and Roof Plan DA-05 Issue A</i>	<i>08/03/2016</i>	<i>154G</i>
<i>Stages 1 & 6 Upper basement plan DA-06 Issue A</i>	<i>08/03/2016</i>	<i>154H</i>
<i>Stages 1 & 6 Lower basement plan DA-07 Issue A</i>	<i>08/03/2016</i>	<i>154I</i>
<i>Stages 1 & 6 Ground level plan DA-08 Issue A</i>	<i>08/03/2016</i>	<i>154J</i>
<i>Stages 1 & 6 Levels 1 & 2 plan DA-09 Issue A</i>	<i>08/03/2016</i>	<i>154K</i>
<i>Stages 1 & 6 Level 3 Plan DA-10 Issue A</i>	<i>08/03/2016</i>	<i>154L</i>

Stages 2-5 Basement Plan A2000 Issue M	28/06/2019	Group GSA
Stage 2 Floor Plans A2001 Issue K	28/06/2019	Group GSA
Stage 3 Floor Plans A2002 Issue M	28/06/2019	Group GSA
Stage 4 Floor Plans A2003 Issue M	28/06/2019	Group GSA
Stage 5 Floor Plans A2004 Issue M	28/06/2019	Group GSA
Stage 1 Elevations DA-11 Issue A	08/03/2016	154M
Stage 6 Elevations DA-12 Issue A	08/03/2016	154N
Stages 2 & 3 Elevations A3000 Issue E	25/02/2020	Group GSA
Stages 4 & 5 Elevations A3001 Issue E	25/02/2020	Group GSA
Staging Plan DA-27 Issue B	16/12/14	27B
Section Plan A3600 Issue B	25/02/2020	Group GSA

**Unless modified by any condition(s) of this consent.*

2.4.1 All commitments listed in the BASIX Certificates as listed below:

- i. 706277M_02 for Stages 1 and 6 dated 9 March 2016
- ii. **995240M_03 for Stages 2 to 5 dated 7 March 2019 and prepared by ADP consulting**

shall be complied with.

5.3 BASIX Certificate Compliance

The plans and specifications must indicate compliance with the commitments listed in the BASIX Certificate Number:

Stage	BASIX Certificate Number
1	706277M_02
2	995240M_03
3	995240M_03
4	995240M_03
5	995240M_03
6	706277M_02

- New traffic condition prior to construction certificate is added as follows:

4.5.8 A car park management plan shall be provided to the Principal Certifying Authority that clearly outlines the infrastructure and associated operational and priority protocols necessary to ensure the car parking area operates efficiently and that users of the car park are aware of operation and priority protocols to/from the shared vehicle access.

The car park management plan shall include user induction and training requirements/ procedures that would be implemented by strata/ building management once appointed.

The plan shall include communication measures on the appropriate use of the vehicle access to drivers and to manage the use of this shared access by resident cars during the arrival and departure of a service vehicle to and from the loading area. Clear guidance/traffic control measures shall be outlined in the plan to advise resident cars for when vehicle ingress is available.

- New waste conditions prior to construction certificate are added as follows:

7A The following waste requirements shall be submitted to the Principal Certifying Authority:

- The applicant must complete the WasteLocate form (attached) to ensure correct disposal of any asbestos identified onsite.
- The applicant must ensure that roads and driveways etc are rated suitable for are rated and are suitable for 6.4m long, small rigid vehicle.
- Access for collection vehicles must be designed in accordance with the dimensions indicated on the approved architectural plans, CAD files and vertical clearances (as per Australian Standards), showing adequate truck entry and exit and in all manoeuvring areas.
- The applicant must ensure the physical treatment of the loading bay (e.g. removable, lockable bollards) is marked on the stamp approved plans to prevent unauthorised parking.

- New waste conditions prior to occupation certificate are added as follows:

10.21.5 A Community Management Agreement/Strata Management Agreement must exist which:

- indicates a requirement for the appointment of a building manager/caretaker to manage bins and bulky waste onsite in accordance with the approved waste management plan. This includes placement of bins out for collection and their return to the storage areas following servicing.
- indicates the responsibility for maintenance of the garbage collection system and bin cleaning, and ensure waste collection points are clear and unobstructed prior to collection times including providing access to the loading bay prior to bin servicing.
- indicates the method of communication to new tenants and residents regarding the waste management service and collection system for the complex.
- clearly outlines the requirement for the building manager to maintain and display consistent signs on all bins and in all communal bin storage areas.
- clearly outlines the requirement for the building manager to arrange for the prompt removal of dumped rubbish from the site.
- includes the updated (and approved) waste management plan as lodged with the development application on 1/07/2019.

- New waste conditions prior to operational are added as follows:
- 11.8.5 The Owners Corporation/Community Management Association will be responsible for ensuring that clear access is provided to waste collection trucks entering the property.
- 11.8.6 Waste and recycling collection vehicles entering and exiting the property must do so in a forward direction.
- 11.8.7 Waste and recycling collections undertaken by private contractor are to be provided by the Owners Corporation.
- 11.8.8 As the development will be serviced by private waste and recycling contractors, residents are unable to access Council's household clean up service, or garbage and recycling service. These must be provided by the Owners Corporation. A Section 88B must be listed on the title to this effect and suitably drafted by Council's planning or legal team.
- Ensure the Section 88B Instrument contains the following:
- The registered proprietor of the Burdened Lot, or where the Burdened Lot includes a Strata Scheme, the Owners Corporation of the Burdened Lot:
 - Is responsible for providing all waste and recycling services for the residents of the building or Strata Scheme
 - Must ensure waste and recycling services for the residents of the building or Strata Scheme are to be provided and undertaken by a private waste and recycling contractor (not Blacktown City Council);
 - Must not access Council's household clean up service or waste/recycling service
 - Indemnifies Council in respect of any claim regarding the non-provision by Blacktown City Council of waste services.
 - The applicant must ensure that bulky waste items such as lounges and fridges etc are collected by private contractors directly from the site. These items must not be presented at the kerbside for collection.
- 11.8.9 Ongoing management of waste for the site must be in accordance with the waste requirements outlined in the approved waste management plan as submitted with the development application. This includes but is not limited to:
- separate bin storage areas and associated waste management equipment for commercial and residential components of a development if applicable.
 - bin movement aids such as bin tugs and trolleys if suggested for the site.
 - the engagement of a building manager and/or caretaker onsite to manage the waste system if suggested for the site. This includes prompt removal of illegal dumping onsite.
- 11.8.10 A building manager must be engaged in perpetuity and for the life of the development to:
- manage bins and bulky waste onsite
 - clean bins and the waste room(s)
 - arrange clear access to the waste loading bay on collection day (ie, remove lockable bollards or open roller doors and boom gates etc), which are in place to protect the truck turning areas on private property from being parked out.